UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/1180
18 October 1994

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE QUESTION CONCERNING HAITI

1. The present report is submitted in compliance with Security Council resolution 940 (1994) of 31 July 1994, in which the Council requested the Secretary-General to report on the activities of the advance team of the United Nations Mission in Haiti (UNMIH) within 30 days of the date of deployment of the multinational force authorized by that resolution.

2. Members of the Security Council will recall that, in paragraph 5 of resolution 940 (1994), the Council approved the establishment of an advance team of UNMIH of not more than 60 personnel, including a group of military and police observers. Its role is to establish the appropriate means of coordination with the multinational force, to carry out the monitoring of the operations of the force and other functions described in paragraph 23 of my report of 15 July 1994 (S/1994/828), and to prepare for the deployment of UNMIH upon completion of the mission of the multinational force.

3. On 19 September 1994, the multinational force, led by the United States of America, started its operation in Haiti. Shortly after, the first group of the advance team consisting of 12 United Nations military observers, including 4 from Bangladesh, 2 from France, 2 from Ireland and 4 from New Zealand, arrived in Port-au-Prince. Six teams of two military observers each were immediately deployed throughout Haiti, reporting as of 24 September 1994 to United Nations Headquarters. The Chief Military Observer established liaison with the Commander of the multinational force without delay, and the appropriate coordination mechanisms were put in place.

4. On 29 September 1994, the Security Council adopted resolution 944 (1994) requesting me to take steps to ensure the immediate completion of the deployment of the observers and other elements of the 60-person UNMIH advance team established under resolution 940 (1994). On 30 September, four additional military observers, two from Guatemala and two from Djibouti, accompanied by three administrative staff members, arrived in Port-au-Prince. On 4 October, 30 more members of the advance team travelled to the Dominican Republic and, on 5 October, drove from there to Port-au-Prince in vehicles assigned to UNMIH. The advance team now comprises a total of 49 personnel, including the 16 military observers; 10 military planners from Bangladesh, Canada and the United States; 13 civilian police personnel from Canada; and

10 civilian administrative personnel. The advance team is led in the field by the Chief of Staff of UNMIH, Col. William Fulton, who is acting under the authority of my Special Representative for Haiti, Mr. Lakhdar Brahimi. The deployment of the United Nations advance team has been successfully implemented with the full support of the Dominican Republic and the multinational force, which escorted the most recent component of the advance team from the Haitian border. En route to the capital, United Nations personnel received a warm welcome from the Haitian population.

5. The tasks of the UNMIH advance team include coordination with the multinational force on the preparation for full deployment of UNMIH under the provisions of resolution 940 (1994). Further, the team is charged with monitoring the operations of the multinational force, and with making its good offices available as required. UNMIH personnel can move freely within Port-au-Prince and, with support from the force, travel outside the capital for monitoring purposes. The team has observed that the multinational force has made progress towards achieving the objectives outlined in paragraph 4 of resolution 940 (1994). In doing so, the multinational force, while moving from initial caution to more assertive measures, has utilized minimum force. The multinational force is recovering unauthorized arms where feasible. It is clear that the great majority of the Haitian population welcomes the multinational force and its activities and may be developing unrealistically high expectations of what the force will do.

6. UNMIH civilian police personnel have started to carry out liaison with the international police monitors and with members of the International Criminal Investigative Training Assistance Program (ICITAP), a United States Government entity, which has assumed the responsibility for training the police force under bilateral arrangements between the Haitian Government and the Governments of Canada and the United States.

7. After appropriate consultation with the Government of Haiti, UNMIH police monitors will submit proposals for the creation and training of a new Haitian police force. The civilian police component of the advance team is coordinating its activities with the Commander of the international police monitors which form part of the multinational force, in order to work out criteria for the transition from the force to UNMIH. Despite the limited availability of transport, the civilian police observers of the advance team have carried out reconnaissance missions in order to survey the country and to gather concrete information on the conditions on the ground. Extended monitoring will be undertaken in all regions of the country as soon as conditions permit, and a comprehensive overview of the assets required for the civilian police component of UNMIH, both in personnel and equipment, will be shortly forwarded to Headquarters. The planning activity of the civilian police component has been facilitated by the experience and knowledge gained during the initial deployment of the civilian police component of UNMIH in 1993.

8. As part of the planning process for the transition from the multinational force to UNMIH, the military component of the advance team has established a joint working group with the force. Under the terms of resolution 940 (1994), it is clear that the transition can take place only when a secure and stable environment has been established and UNMIH has adequate force capability and

structure to assume the full range of functions envisaged for it. The joint working group is in the process of identifying the criteria for a secure and stable environment.

9. The advance team of UNMIH is now fully operational. Its tasks will expire when the mission of the multinational force ends and when UNMIH assumes "the full range of its functions". I will keep the Security Council informed about further activities of the advance team.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/1181
19 October 1994
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 18 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF SENEGAL TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Following the recent tensions in the Gulf subregion resulting from the movement of Iraqi troops towards the Iraq-Kuwait frontier, H.E. Mr. Abdou Diouf, President of the Republic of Senegal, made a statement on 11 October 1994 condemning this development and reaffirming his support for the efforts of the international community to put an end to it.

I should therefore like to transmit to you the attached text of this statement and request you to be kind enough to issue it as a document of the Security Council.

(Signed) Kéba Birane CISSE

Annex

Statement of the President of Senegal dated 11 October 1994

The new tensions in the Gulf subregion resulting from the decision of the Iraqi Government to dispatch large numbers of troops towards its frontier with Kuwait are both unacceptable and disturbing. Nothing in the current relations between the two countries justifies such a decision, nor does the general situation in the Gulf.

Furthermore, by moving tens of thousands of troops towards Kuwait the Iraqi Government is deliberately choosing to contravene United Nations resolutions. Such a defiant attitude designed to undermine the universal Organization's authority is unacceptable.

Moreover, the Iraqi decision, merely by virtue of the tensions which it has generated, also constitutes a serious threat to peace in the very sensitive Gulf area and indeed throughout the Middle East. By reason of the special relations which we have with the most exposed countries, it is both a source of concern and a challenge to us.

Therefore, in addition to condemning this move we must associate ourselves with any initiative which may bring the Iraqi Government to adopt an attitude more compatible with the preservation of international peace and security.

In any event, Senegal will remain true to its commitment to the rule of international law and to the trusting friendship and brotherly solidarity which bind it to Kuwait and to Saudi Arabia. It will also continue to adhere to the position of the Organization of the Islamic Conference, in particular its rejection of recourse to violence to settle disputes between States and of any acquisition of territory by force.

UNITED NATIONS **S**

Security Council

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GENERAL

S/1994/1182
19 October 1994

ORIGINAL: ENGLISH

LETTER DATED 10 OCTOBER 1994 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to my letters of 29 March 1994 and 14 May 1994, contained in documents S/1994/389 and S/1994/572 respectively, by which I informed members of the Council of the appointment of Mr. Benny Widyono as my representative in Cambodia, for an initial period of six months, and of three military advisers who would assist him in carrying out his mandate in accordance with the spirit and principles of the Paris Agreements.

In response to a request by the Government of Cambodia, I have decided that Mr. Widyono's term be extended for a further six months and that he should continue to be assisted by three military advisers for the same duration.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

94-40658 (E) 191094 201094

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Security Council

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GENERAL

S/1994/1183
19 October 1994

ORIGINAL: ENGLISH

LETTER DATED 19 OCTOBER 1994 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 10 October 1994 (S/1994/1182) has been brought to the attention of the Council members. They take note of the information contained therein and welcome your decision to extend the term of your representative in Cambodia for a further period of six months.

(Signed) Sir David HANNAY, KCMG
President of the Security Council

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UNITED
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General Assembly
Security Council

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GENERAL

A/49/548
S/1994/1184
19 October 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 139

SECURITY COUNCIL
Forty-ninth year

REPORT OF THE COMMITTEE ON RELATIONS WITH THE HOST COUNTRY

Letter dated 14 October 1994 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

I am obliged to refer to the letter dated 11 September 1994 addressed to you by the Permanent Representative of Iraq to the United Nations (A/49/377-S/1994/1047). That letter made reference to "problems" experienced by officials of the Government of Iraq in obtaining United States visas.

The United States Government and the United States Mission to the United Nations are acutely aware of the obligations of the host country to permit transit to and from the United Nations Headquarters district. The United States Government takes these responsibilities very seriously and, as a matter of course and obligation, facilitates issuance of visas without regard to the state of relations between the sending State and the United States.

The United States, as a permanent member of the Security Council, is also keenly aware of the importance of official contacts between representatives of the Government of Iraq and officials of the United Nations Secretariat, the United Nations Special Commission, other members of the Security Council, and officials of other United Nations bodies. The United States Government processes requests for visas for such meetings as rapidly as possible, and often issues such visas in spite of its requirement that all officials travelling to the United Nations on official business submit requests for visas at least 15 working days before their projected arrival in the United States.

On numerous occasions, the United States has issued visas to Iraqi officials despite the fact that they have given little or no advance notice of their travel and need for a visa, or have applied for visas at a different time or place than their official notification said they would, or have applied outside of normal working hours. In a great many cases, Iraqi officials who

come for Security Council sanctions reviews every two months on a regular schedule apply for visas on very short notice and during hours when our Embassy in Amman - the post where Iraqi officials prefer to apply for visas - is closed.

The United States Government can only conclude that it is a deliberate practice of Iraqi officials to come to the American Embassy on weekends, holidays, or after normal working hours to demand that their visas be issued on the spot. The Iraqi Embassy in Amman even demanded that the United States open its Embassy on Id-al-Adha, an important Islamic holiday. In this and other instances, the Iraqi officials had been informed several days earlier that their visas were ready to be issued during normal business hours. Because of the inconvenience and expense of opening the Embassy for after-hours visa issuance, the United States Mission advised the Permanent Mission of Iraq by a note verbale dated 15 July 1994 that henceforth visas would be issued only during regular working hours.

Despite acknowledging this note, Mr. Tariq Aziz and various other Iraqi officials went to the American Embassy in Amman over the weekend on Saturday, 10 September, to obtain their visas, even though such visas were available beginning on Sunday, 4 September. Once again, special arrangements were made for Mr. Tariq Aziz and some members of his party to obtain their visas while the Embassy was closed, but it proved impossible to issue visas to three members who had not applied in time to complete the visa process. Those three individuals received their visas three days later.

I request that this letter be circulated as a document of the General Assembly, under agenda item 139, and of the Security Council.

(Signed) Madeleine K. ALBRIGHT

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/49/549
S/1994/1185
19 October 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda items 10, 38, 40 and 78
REPORT OF THE SECRETARY-GENERAL
ON THE WORK OF THE ORGANIZATION
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
REPORT OF THE SPECIAL COMMITTEE
TO INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF THE
PALESTINIAN PEOPLE AND OTHER ARABS
OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-ninth year

Letter dated 19 October 1994 from the Permanent Observer for Palestine to the United Nations addressed to the Secretary-General

I have been instructed to bring the following to your attention.

On 17 October 1994, Jordan and Israel initialled a draft peace treaty between the two countries, which is expected to be formally signed within a week. We welcome this as a step towards the establishment of a comprehensive and lasting peace in the Middle East.

Statements that have been made in this regard by some officials, including the Foreign Minister of Israel, have indicated that the draft treaty includes language on a Jordanian role with regard to the holy sites of Jerusalem, similar to the language used in the Washington Declaration of 25 July 1994, to which we have objected (A/49/288-S/1994/903). This possible inclusion has serious implications, and any attempts to detach religious issues from the overall political situation of East Jerusalem could only serve the illegal status quo created by the Israeli Government. We reiterate the fact that Jerusalem remains an integral part of the Occupied Palestinian Territory since 1967, as confirmed by several Security Council resolutions, and that the international community has never accepted or approved any foreign sovereignty or jurisdiction over East Jerusalem.

Moreover, such an inclusion represents a clear violation of the contractual obligations of Israel emanating from the Declaration of Principles on Interim Self-Government Arrangements (A/48/486-S/26560), signed in Washington, D.C., on 13 September 1993, by the Government of Israel and the Palestine Liberation Organization and witnessed by the United States of America and the Russian Federation, the co-sponsors of the peace process. In addition, the Israeli Government gave assurances to the Palestinian side with regard to the religious sites and the preservation of economic and social institutions of East Jerusalem.

It should be recalled that the Government of the United States of America, in its capacity as a co-sponsor of the peace process, also gave assurances to the Palestinian side on Jerusalem. In this regard, the United States letter of assurances to the Palestinians, dated 24 October 1991, stated the following:

> "The United States is opposed to the Israeli annexation of East Jerusalem and extension of Israeli law on it and the extension of Jerusalem's municipal boundaries. We encourage all sides to avoid unilateral acts that would exasperate local tensions or make negotiations more difficult or pre-empt their final outcome."

We call for immediate redress of the situation and for compliance with the agreement reached between the Government of Israel and the Palestine Liberation Organization. We also call upon the co-sponsors of the peace process, at the highest level, to fulfil their duties in this regard and to ensure such compliance. Failure to do that would cause great harm to the credibility and validity of the agreements reached as well as the proceedings of the peace process. The issue of Jerusalem remains a central issue and should not be taken lightly.

I should be grateful if you would arrange to have the text of this letter distributed as an official document of the General Assembly, under agenda items 10, 38, 40 and 78, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/49/552
S/1994/1186
19 October 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 142
MEASURES TO ELIMINATE INTERNATIONAL
TERRORISM

SECURITY COUNCIL
Forty-ninth year

Letter dated 19 October 1994 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I would like to draw your attention to the act of terrorism which was perpetrated today in Israel by Palestinian terrorists. Initial reports have revealed the following:

(1) At 8.55 a.m. local time, a bomb exploded on a commuter bus travelling in rush hour traffic near Dizengoff Square in the heart of Tel Aviv. The bomb, which weighed approximately 10 kilograms, killed 22 people and injured 48. Three of the wounded are listed in critical condition;

(2) The bus, Dan Liens No. 5, was completely destroyed, and an adjacent bus was severely damaged. The majority of the injured were passengers on the first bus. Passengers on the other, as well as innocent bystanders, also numbered among those wounded in the attack;

(3) The Palestinian terrorist organization Hamas claimed responsibility for this attack and has threatened to carry out more terrorist acts of this kind.

The murderous forces responsible for this attack seek to undermine the peace process, and act in contravention of all human values and international norms.

In the past two weeks, Hamas has also been responsible for the terrorist attack in Jerusalem in which two people were killed and 13 wounded (A/49/498-S/1994/1150), and for the abduction and murder of Israel Defence Forces Corporal Nachshon Waxman (A/49/510-S/1994/1158).

Today's attack occurred following the historic initialling of a peace treaty between Israel and Jordan, and at a time when serious efforts are being made to advance negotiations between Israel and the Palestinians. Inspired by a radical, fundamentalist ideology, Hamas has repeatedly declared its commitment to oppose the peace process by violent means, and to carry out acts of terrorism directed against Israel and Israelis.

Israel will not allow this act of violence to weaken its commitment to the peace process.

We call upon the parties in the Middle East which support the peace process, as well as the rest of the international community, to strongly condemn this attack and to join in confronting the terrorist threat.

I should be grateful if you would have this letter circulated as an official document of the General Assembly, under agenda item 142, and of the Security Council.

(Signed) Gad YAACOBI
Ambassador
Permanent Representative of Israel
to the United Nations

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/1187
20 October 1994

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its resolutions 788 (1992) of 19 November 1992, 813 (1993) of 26 March 1993, 856 (1993) of 10 August 1993, 866 (1993) of 22 September 1993 and 911 (1994) of 21 April 1994,

Having considered the reports of the Secretary-General dated 18 May 1994 (S/1994/588), 24 June 1994 (S/1994/760), 26 August 1994 (S/1994/1006) and 14 October 1994 (S/1994/1167) on the United Nations Observer Mission in Liberia (UNOMIL),

Commending the positive role of the Economic Community of West African States (ECOWAS) in its continuing efforts to restore peace, security and stability in Liberia,

Commending also the initiative taken by the President of Ghana, in his capacity as current Chairman of ECOWAS, to reactivate the peace process and find a durable solution to the conflict,

Noting the recommendations of the Liberian National Conference and stressing the importance it attaches to strengthening the authority of the Liberian National Transitional Government (LNTG) in administering the country,

Commending those African States that have contributed troops to ECOWAS's Cease-fire Monitoring Group (ECOMOG), and those Member States that have contributed to the Trust Fund or by providing other assistance in support of ECOMOG,

Commending also ECOMOG for its role in quelling an attempted coup d'état against the LNTG in Monrovia,

Deeply concerned at the breakdown in the cease-fire, the severe deterioration in the security situation and the impact this is having on the civilian population of Liberia, particularly in rural areas, as well as on the ability of humanitarian agencies to provide emergency relief,

Expressing grave concern at the level of factional and ethnic warfare now prevailing in much of Liberia,

Stressing the importance it attaches to the achievement of an effective cease-fire as a necessary precondition for progress in the peace process and the holding of national elections,

1. Welcomes the report of the Secretary-General dated 14 October 1994, and his intention to send a high-level mission to consult with ECOWAS member States on how the international community can best continue to assist the peace process in Liberia;

2. Decides to extend the mandate of UNOMIL until 13 January 1995;

3. Recognizes that circumstances on the ground warranted the Secretary-General's decision to reduce the strength of UNOMIL, and considers that any decision to return it to the authorized level will depend on consideration by the Security Council of a further report from the Secretary-General reflecting a real improvement in the situation on the ground, in particular the security situation;

4. Calls on all factions in Liberia to cease hostilities immediately and to agree to a timetable for disengagement of forces, disarmament and demobilization;

5. Further calls on the LNTG and all Liberians to seek political accommodation and national reconciliation and to work with the Chairman of ECOWAS and with the Special Representative of the Secretary-General to achieve a durable settlement;

6. Calls once again upon all States strictly to abide by and comply with the general and complete embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992) under Chapter VII of the United Nations Charter;

7. Condemns the widespread killings of civilians and other violations of international humanitarian law by the factions in Liberia, and the detention and maltreatment of UNOMIL observers, ECOMOG soldiers, humanitarian relief workers and other international personnel and demands that all the factions strictly abide by applicable rules of international humanitarian law;

8. Demands that all factions in Liberia strictly respect the status of ECOMOG and UNOMIL personnel, and those of other international organizations and humanitarian relief agencies working in Liberia, refrain from any acts of violence, abuse or intimidation against them and return forthwith equipment seized from them;

9. Urges Member States to provide support for the peace process in Liberia through the United Nations Trust Fund for Liberia, in order to enable ECOMOG to fulfil its mandate;

10. Commends the efforts of Member States and humanitarian organizations to provide emergency humanitarian assistance, including to Liberian refugees in neighbouring countries, and calls on all factions in Liberia to cooperate fully

in creating the conditions necessary for the delivery of humanitarian assistance to all in need in Liberia;

11. Requests the Secretary-General to report to the Security Council well in advance of the end of the current mandate period with recommendations as to the future role of UNOMIL, in the light of developments in the peace process and in the situation on the ground and the recommendations of his high-level mission;

12. Decides to remain actively seized of the matter.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/1188
20 October 1994

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL CONCERNING THE DATE OF AN ELECTION TO FILL A VACANCY IN THE INTERNATIONAL COURT OF JUSTICE

1. The Registrar of the International Court of Justice, by a letter dated 28 September 1994, informed the Secretary-General of the death of Judge Nikolai Konstantinovitch Tarassov (Russian Federation) on 28 September 1994, and of the occurrence of a vacancy in the Court as a result of that death.

2. Judge Tarassov became a member of the Court as from 9 December 1985 and was re-elected as from 6 February 1988. His present term of office would have expired on 5 February 1997. In accordance with the terms of the Statute of the International Court of Justice, the General Assembly and the Security Council will therefore have to elect a member of the Court to serve for the remainder of Judge Tarassov's term until 5 February 1997.

3. Article 14 of the Statute provides:

> "Vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in article 5, and the date of the election shall be fixed by the Security Council."

4. Article 5, paragraph 1, of the Statute provides:

> "At least three months before the date of the election, the Secretary-General of the United Nations shall address a written request to the members of the Permanent Court of Arbitration belonging to the States which are parties to the present Statute, and to the members of the national groups appointed under article 4, paragraph 2, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court."

5. In view of the fact that the date of the election is to be fixed by the Security Council, it is suggested that the Council might wish to consider this question at an early meeting. The Secretary-General expects to invite nominations for the vacancy caused by the death of Judge Tarassov by communications immediately after the Security Council has set the date of election, but in any event no later than 28 October 1994.

94-40870 (E) 201094 211094

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/1189
20 October 1994

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Noting with regret the death of Judge Nikolai Konstantinovitch Tarassov on 28 September 1994,

Noting further that a vacancy in the International Court of Justice for the remainder of the term of office of the deceased Judge has thus occurred and must be filled in accordance with the terms of the Statute of the Court,

Noting that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 26 January 1995 at a meeting of the Security Council and at a meeting of the General Assembly at its forty-ninth session.

94-41041 (E) 211094 221094